

CLOSED, NOLAN, PROTO

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CIVIL DOCKET FOR CASE #: 1:03-cv-05637

EEOC, et al v. Caterpillar Inc
Assigned to: Hon. Nan R. Nolan
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 08/13/2003
Date Terminated: 04/28/2005
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Gordon G. Waldron**
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V.

Defendant

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Intervenor Plaintiff

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Intervenor Plaintiff

George A Ervins

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Intervenor Plaintiff

Ricky McNeal

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proposed

Ruby Edwards
TERMINATED: 10/03/2003

represented by **Robert M. Hodge**
(See above for address)
TERMINATED: 10/03/2003
ATTORNEY TO BE NOTICED

proposed

James Mack
TERMINATED: 10/03/2003

represented by **Robert M. Hodge**
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TERMINATED: 10/03/2003
ATTORNEY TO BE NOTICED

proposed

Edmonnzo Samuels
TERMINATED: 10/03/2003

represented by **Robert M. Hodge**
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TERMINATED: 10/03/2003
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proposed

Robert L Autman
TERMINATED: 10/03/2003

represented by **Robert M. Hodge**
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TERMINATED: 10/03/2003
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/13/2003	1	COMPLAINT; jury demand - Civil cover sheet - Appearance(s) of Gordon G. Waldron, Gregory M. Gochanour, John C. Hendrickson as attorney(s) for plaintiff (No summons(es) issued.) (Documents: 1-1 through 1-3) (rmm) (Entered: 08/13/2003)
08/15/2003	2	ATTORNEY APPEARANCE for defendant by Michael A. Warner, Joseph S. Turner and M Andrew McGuire (rmm) (Entered: 08/18/2003)
08/18/2003	3	ATTORNEY APPEARANCE for defendant Caterpillar Inc by Johna Gabrielle Gaffke (rmm) (Entered: 08/19/2003)
08/19/2003	4	RULE 24(A)(1) MOTION by proposed intervenors Stanley McCallum, George A Ervins, Ricky McNeal, Ruby Edwards, James Mack, Edmonzo Samuels and Robert L Autman for leave to intervene and other relief (Attachments); Notice (rmm) (Entered: 08/20/2003)
08/22/2003		SCHEDULE set on 8/22/03 by Hon. Suzanne B. Conlon : Status hearing set on 9/19/03 at 9:00 am. At the status hearing, the parties are to report on the following: 1. Possibility of settlement in the case; 2. If no possibility of settlement exists, the nature and length of discovery necessary to get the case ready for trial. Plaintiff is directed to advise all other parties of the court's action herein and to forward a copy of the court's procedure guidelines to defendant(s). Mailed notice (cgb) (Entered: 08/22/2003)
08/25/2003	5	WAIVER of service of summons as to defendant Caterpillar Inc sent on 8/13/03 (rmm) (Entered: 08/26/2003)
08/26/2003	6	MINUTE ORDER of 8/26/03 by Hon. Suzanne B. Conlon: Intervenor Rule 24(A)(1) motion for leave to intervene as parties plaintiff and for other relief [4-1] is stricken for failure to attach proof of service on defendant. Mailed notice (rmm) (Entered: 08/27/2003)
09/02/2003	7	RULE 24(A)(1) MOTION by Stanley McCallum, George A Ervins, Ricky McNeal, Ruby Edwards, James Mack, Edmonzo Samuels, Robert L Autman for leave to intervene as parties plaintiff and for other relief (Attachments); Notice (rmm) (Entered: 09/12/2003)
09/10/2003	8	MINUTE ORDER of 9/10/03 by Hon. Suzanne B. Conlon : Intervenor's Rule 24(A)(1) motion for leave to intervene as parties plaintiff and for other relief [7-1] is entered and continued to September 19, 2003 at 9:00 a.m. Notices mailed by judge's staff (rmm) (Entered: 09/12/2003)
09/18/2003	9	OPPOSITION by defendant to Rule 24(A)(1) motion for leave to intervene by Ruby Edwards, James Mack, Edmonzo Samuels, and Robert Autman [7-1] (Attachments) (rmm) (Entered: 09/19/2003)
09/19/2003	10	MINUTE ORDER of 9/19/03 by Hon. Suzanne B. Conlon : Status hearing held. Intervenor's Rule 24(A)(1) motion for leave to intervene as parties plaintiff and for other relief [7-1] is granted as to Stanley McCallum, George Ervins and Rickey McNeal. Proposed intervenors shall reply to defendant's opposition to

		Rule 24(A)(1) motion for leave to intervene as to Ruby Edwards, James Mack, Edmonzo Samuels and Robert Autman by September 26, 2003 [9-1]. Parties to comply with FRCP 26(a)(1) by October 20, 2003. Discovery cut-off and filing of dispositive motions with supporting memoranda set on February 20, 2004. Joint final pretrial order with agreed pattern jury instructions submission set on March 11, 2004 at 9:00 a.m.; plaintiff's draft to be submitted to defendant by March 4, 2004. Case is placed on the March 2004 trial calendar. Firm dates. Parties to contact the clerk if a settlement conference is deemed appropriate. Notices mailed by judge's staff (rmm) (Entered: 09/22/2003)
09/26/2003	11	REPLY by proposed intervenors' to defendant's opposition to Rule 24(A)(1) motion for leave to intervene (Attachments); Notice. (ntf) (Entered: 09/29/2003)
09/26/2003	12	ATTORNEY APPEARANCE for intervenor plaintiffs by Robert M. Hodge, Sheribel F. Rothenberg (ntf) (Entered: 09/29/2003)
10/03/2003	13	MINUTE ORDER of 10/3/03 by Hon. Suzanne B. Conlon: The motion for leave to intervene by Ruby Edwards, James Mack, Edmonzo Samuels and Robert Autman is denied [7-1]. Movants fail to establish they are aggrieved persons within the context of the EEOC's complaint. Fed.R.Civ.P.24(a)(1). Notices mailed by judge's staff (rmm) (Entered: 10/06/2003)
10/14/2003	14	ANSWER and affirmative defenses by defendant to complaint [1-1] (rmm) (Entered: 10/15/2003)
10/15/2003	15	MOTION by intervenors Stanley McCallum, George A Ervins, Ricky McNeal for leave to file intervenors' complaint ; Notice of motion (eav) (Entered: 10/20/2003)
10/17/2003	16	MINUTE ORDER of 10/17/03 by Hon. Suzanne B. Conlon : Intervenors' motion for leave to file intervenors' complaint [15-1] is taken under advisement. Any objections shall be filed by 10/30/03. The motion will not be heard on 10/21/03 as noticed. Mailed notice by judge's staff (eav) (Entered: 10/20/2003)
11/12/2003	17	MINUTE ORDER of 11/12/03 by Hon. Suzanne B. Conlon : The unopposed motion for leave to file intervenors' complaint by Stanley McCallum, George A. Ervins and Rickey L. McNeal [15-1] is granted. Defendant shall answer or otherwise plead by 11/19/03. Notices mailed by judge's staff (rmm) (Entered: 11/13/2003)
11/19/2003	18	ANSWER and affirmative defenses by defendant Caterpillar Inc to plaintiff-intervenors' complaint (rmm) (Entered: 11/20/2003)
01/13/2004	19	LETTER from defendant's attorney M. Andrew McGuire to Clerk's Office dated 1/9/04 (rmm) (Entered: 01/14/2004)
01/27/2004	20	ATTORNEY APPEARANCE for defendant Caterpillar Inc by Jason M Torres (rmm) (Entered: 01/28/2004)
02/20/2004	21	MOTION by plaintiff for partial summary judgment , in limine Memorandum of law in support; Notice (rmm) (Entered: 02/24/2004)
02/20/2004	22	STATEMENT of undisputed facts in support of motion for partial summary judgment by plaintiff (rmm) (Entered: 02/24/2004)

02/20/2004	23	EXHIBITS by plaintiff to motion for partial summary judgment [21-1] (1 volume) (rmm) (Entered: 02/24/2004)
02/20/2004	24	MOTION by defendant for entry of agreed protective order ; Notice. (jmm) (Entered: 03/01/2004)
02/20/2004	25	MOTION by defendant for summary judgment ; Memorandum of law in support; Notice. (jmm) (Entered: 03/01/2004)
02/20/2004	26	RULE 56.1 Statement of material facts as to which there is no genuine issue by defendant. (jmm) (Entered: 03/01/2004)
02/20/2004	27	APPENDIX filed by defendant of materials in support of its motion for summary judgment [25-1]. (jmm) (Entered: 03/01/2004)
02/25/2004	28	MINUTE ORDER of 2/25/04 by Hon. Suzanne B. Conlon: Plaintiff's motion for partial summary judgment [21-1] and motion in limine [21-2] and defendant's motion for summary judgment [25-1] are taken under advisement. Responses shall be filed by 03/10/04. Replies, if any, shall be filed by 3/17/04. Pretrial order submission on 03/11/04 is vacated pending disposition of the summary judgment motions. Defendant's motion for entry of agreed protective order is granted [24-1]. (Enter Agreed Protective Order.) Mailed notices by judge's staff. (jmm) (Entered: 03/01/2004)
02/27/2004	29	MOTION by plaintiff to substitute Exhibit 5 to the Exhibits in support of plaintiffs' motion for partial summary judgment , and to substitute paragraphs 6 and 16 of plaintiffs' statement of facts (Attachments); Notice (rmm) (Entered: 03/04/2004)
03/04/2004	30	MINUTE ORDER of 3/4/04 by Hon. Suzanne B. Conlon : Plaintiff's motion to substitute Exhibit 5 to the Exhibits in support of plaintiffs' motion for partial summary judgment [29-1], paragraphs 6 and 16 of plaintiffs' statement of facts [29-2] is granted. Mailed notice (rmm) (Entered: 03/05/2004)
03/10/2004	31	MEMORANDUM OF LAW IN RESPONSE by plaintiffs to defendant's summary judgment motion [25-1]; Notice (rmm) Modified on 03/11/2004 (Entered: 03/11/2004)
03/10/2004	32	LOCAL RULE 56.1 Statement of additional facts requiring denial of defendant's motion for summary judgment by plaintiffs (rmm) Modified on 03/11/2004 (Entered: 03/11/2004)
03/10/2004	33	RESPONSE by plaintiffs to Caterpillar's Statement of undisputed facts [22-1] (Attachments) (rmm) (Entered: 03/11/2004)
03/10/2004	34	LOCAL RULE 56.(B)(3)(B) Statement of uncontested material facts that preclude summary judgment by intervenors (rmm) (Entered: 03/11/2004)
03/10/2004	35	EXHIBITS by plaintiffs submitted in response to defendant's summary judgment motion (rmm) (Entered: 03/11/2004)
03/10/2004	36	RESPONSE by defendant to plaintiffs' statement of undisputed facts [22-1]; Notice (rmm) (Entered: 03/11/2004)

03/10/2004	37	MEMORANDUM OF LAW IN RESPONSE by defendant to plaintiffs' motion for partial summary judgment [21-1] and motion in limine [21-2] (rmm) (Entered: 03/11/2004)
03/10/2004	38	APPENDIX of materials filed by defendant in response to plaintiffs' motion for partial summary judgment (1 volume) (rmm) (Entered: 03/11/2004)
03/10/2004	39	APPENDIX of materials by defendant in response to plaintiffs' motion for partial summary judgment (Attachments) (1 volume) (rmm) (Entered: 03/15/2004)
03/17/2004	40	RESPONSE by defendant to plaintiffs' Local Rule 56.1 Statement of additional facts [32-1] (rmm) (Entered: 03/18/2004)
03/17/2004	41	RESPONSE by defendant to intervenors Local Rule 56.(B)(3)(B) Statement of additional facts (rmm) (Entered: 03/18/2004)
03/17/2004	42	REPLY memorandum by defendant in support of its motion for summary judgment [25-1]; Notice (rmm) (Entered: 03/18/2004)
03/17/2004	43	REPLY Memorandum of law by plaintiffs in support of motion for partial summary judgment [21-1] and motion in limine [21-2] (Attachments); Notice (rmm) (Entered: 03/18/2004)
03/25/2004	44	MINUTE ORDER of 3/25/04 by Hon. Suzanne B. Conlon: Defendant's motion for summary judgment [25-1], plaintiffs' motion for partial summary judgment [21-1], and motion in limine [21-2], are denied. the joint final pretrial order and agreed pattern jury instructions shall be presented by 04/22/04 at 9:00 a.m. Plaintiffs' draft shall be submitted to defendant by 04/13/04. Trial is set for 05/27/04 at 9:00 a.m. (See reverse of minute order.) Notices mailed by judge's staff (cdy) (Entered: 03/26/2004)
04/15/2004	45	MINUTE ORDER of 4/15/04 by Hon. Suzanne B. Conlon : Parties having submitted consents to proceed before a magistrate judge pretrial order submission on 4/22/04 and trial on 5/27/04 are vacated. Mailed notice (rmm) (Entered: 04/16/2004)
04/15/2004	46	CONSENT by EEOC to exercise of jurisdiction by a United States Magistrate Judge. (gcy) (Entered: 04/19/2004)
04/15/2004	47	CONSENT by Stanley McCallum, George A Ervins, Ricky McNeal to exercise of jurisdiction by a United States Magistrate Judge. (gcy) (Entered: 04/19/2004)
04/15/2004	48	CONSENT by Caterpillar Inc to exercise of jurisdiction by a United States Magistrate Judge. (gcy) (Entered: 04/19/2004)
04/16/2004	49	REASSIGNMENT ORDER of 4/16/04 This case is reassigned to the Hon. Nan R. Nolan from the Hon. Suzanne B. Conlon pursuant to Local Rule 73.1 (For further detail see reverse of order). Mailed notice (gcy) (Entered: 04/19/2004)
04/20/2004	50	MINUTE ORDER of 4/20/04 by Hon. Nan R. Nolan : Initial status hearing set for 5/6/04 at 9:00a.m. before Magistrate Judge Nolan in courtroom 1858. Parties shall deliver a copy of an initial status report to chambers, room 1870, at least three business days before the initial status hearing. If the parties have recently prepared and filed an initial status report, the submission of the previously filed initial status report is sufficient. For further details see attached standing order.

		Mailed notice by judge's staff (lc) (Entered: 04/21/2004)
05/03/2004	51	INITIAL STATUS REPORT of case referred for trial to Magistrate Judge Nolan by by plaintiff, intervenor plaintiffs and defendant (Attachments) (rmm) (Entered: 05/05/2004)
05/04/2004		SCHEDULE set on 5/4/04 by Hon. Nan R. Nolan : Status hearing re-set to 9:00 5/7/04 . No notice (hmb) (Entered: 05/04/2004)
05/07/2004	52	MINUTE ORDER of 5/7/04 by Hon. Nan R. Nolan : Status hearing held and continued to 7/27/2004 at 9:00 a.m. Defendant to provide plaintiffs with a pre-trial order draft by 6/23/2004. Joint pretrial order and motions in limine are due by 7/23/2004. Trial set for 10/4/2004. Mailed notice (rmm) (Entered: 05/11/2004)
07/27/2004	53	MOTION by defendant in limine to exclude evidence relating to a noose allegedly found at a plaintiff's home (rmm) (Entered: 07/28/2004)
07/27/2004	54	MOTION by defendant in limine to exclude plaintiffs' opinion testimony and testimony lacking personal knowledge (rmm) (Entered: 07/28/2004)
07/27/2004	55	MOTION by defendant in limine to exclude evidence of alleged supervisor harassment (rmm) (Entered: 07/28/2004)
07/27/2004	56	MOTION by defendant in limine to exclude evidence related to Robert Autman, James Mack, Ronald Worley, and Terry Childress (rmm) (Entered: 07/28/2004)
07/27/2004	57	MOTION by defendant in limine to exclude evidence related to persons' sexual orientation (rmm) (Entered: 07/28/2004)
07/27/2004	58	MOTION by plaintiffs in limine to bar from evidence defendant's proposed Exhibit 8, as well as any testimony about its subject matter (rmm) (Entered: 07/29/2004)
07/27/2004	59	MOTION by plaintiffs in limine that Caterpillar's Annual Financial Statement for 2003 be deemed authenticated ; (rmm) (Entered: 07/29/2004)
07/27/2004	60	MOTION by plaintiffs in limine to limit testimony of Dan Sweeney, Tony Cole and Craig Herrick (rmm) (Entered: 07/29/2004)
07/27/2004	61	MINUTE ORDER of 7/27/04 by Hon. Nan R. Nolan : Status hearing held and continued to 8/30/2004 at 10:00 a.m. Pretrial conference set for 9/15/2004 at 1:30 p.m. Plaintiffs' and defendants' motions in limine are entered. The parties to file a brief to the Motions in Limine by 8/2/2004. EEOC to respond to the Motions in Limine by 8/16/04. Caterpillar Inc to file its response to the Motions in Limine by 8/27/04. All parties to file replies to the Motions in limine [57-1] [56-1] [55-1] [54-1] [53-1] [60-1] [59-1] [58-1] by 8/27/2004. Trial briefs due by 8/10/2004. Parties are directed to deliver two copies of the disputed exhibits to chambers by 8/27/2004. Mailed notice (rmm) (Entered: 07/29/2004)
08/04/2004	62	MEMORANDUM by plaintiffs in support of motion in limine to limit testimony of Dan Sweeney, Tony Cole and Craig Herrick [60-1] (rmm) (Entered: 08/05/2004)
08/04/2004	63	MEMORANDUM by plaintiffs in support of motion in limine that Caterpillar's Annual Financial Statement for 2003 be deemed authenticated [59-1] (rmm)

		(Entered: 08/05/2004)
08/04/2004	64	MEMORANDUM by plaintiffs in support of motion in limine to bar from evidence defendant's proposed Exhibit 8, as well as any testimony about its subject matter [58-1] (rmm) (Entered: 08/05/2004)
08/16/2004	65	MEMORANDUM by plaintiff in opposition to defendant's motion in limine to exclude evidence related to persons' sexual orientation [57-1] (Attachments); Notice (rmm) (Entered: 08/17/2004)
08/16/2004	66	MEMORANDUM by plaintiff in opposition to defendant's motion in limine to exclude plaintiffs' opinion testimony and testimony lacking personal knowledge [54-1] (Attachments); Notice (rmm) (Entered: 08/17/2004)
08/16/2004	67	MEMORANDUM by plaintiffs in opposition to defendant's motion in limine to exclude evidence relating to a noose allegedly found at a plaintiff's home [53-1]; Notice (rmm) (Entered: 08/17/2004)
08/16/2004	68	TRIAL MEMORANDUM of law by plaintiffs (rmm) (Entered: 08/17/2004)
08/16/2004	69	RESPONSE by plaintiffs to defendant's motion in limine to exclude evidence of alleged supervisor harassment [55-1] (Attachments) (rmm) (Entered: 08/17/2004)
08/16/2004	70	RESPONSE by plaintiffs to defendant's motion in limine to exclude evidence related to African American Employees Robert Autman, James Mack, Ronald Worley, and Terry Childress [56-1] (Attachments) (rmm) (Entered: 08/17/2004)
08/16/2004	71	TRIAL MEMORANDUM of law by intervenor plaintiffs; Notice (rmm) (Entered: 08/17/2004)
08/16/2004	72	MINUTE ORDER of 8/16/04 by Hon. Nan R. Nolan : At the request of the parties, the court grants each side an extension until 8/16/2004 to file their trial briefs. Mailed notice (rmm) (Entered: 08/17/2004)
08/27/2004	73	REPLY by defendant in support of its to motion in limine to exclude opinion testimony and testimony lacking knowledge [54-1]; Notice (rmm) (Entered: 08/30/2004)
08/27/2004	74	REPLY by defendant in support of its motion in limine to exclude evidence related to Robert Autman, James Mack, Ronald Worley, and Terry Childress [56-1]; Notice (rmm) (Entered: 08/30/2004)
08/27/2004	75	REPLY by defendant in support of its motion in limine to exclude evidence relating to a noose allegedly found at a plaintiff's home [53-1] (Attachments); Notice (rmm) (Entered: 08/30/2004)
08/27/2004	76	REPLY by defendant in support of its motion in limine to exclude evidence related to persons' sexual orientation [57-1]; Notice (rmm) (Entered: 08/30/2004)
08/27/2004	77	REPLY by defendant in support of its motion in limine to exclude evidence of alleged supervisor harassment [55-1]; Notice (rmm) (Entered: 08/31/2004)
08/30/2004	78	MINUTE ORDER of 8/30/04 by Hon. Nan R. Nolan : Status hearing held. The parties objections to jury instructions to be filed by 9/10/04. The parties to orally respond to the objections on 9/15/04. Pretrial conference set on 9/15/04 at 1:30 p.m. to stand. Mailed notice (rmm) (Entered: 09/02/2004)

09/10/2004	79	OBJECTIONS by plaintiffs to defendant's jury instructions and verdict form (rmm) (Entered: 09/13/2004)
09/10/2004	80	MEMO by plaintiffs in regard to defendant's proposed motions for directed verdict (Attachments) (rmm) (Entered: 09/13/2004)
09/10/2004	81	ARGUMENTS by plaintiffs in support of plaintiffs' proposed exhibits to which defendant has objected (rmm) (Entered: 09/13/2004)
09/10/2004	82	OBJECTIONS by defendant to plaintiffs' proposed jury instructions (rmm) (Entered: 09/14/2004)
09/14/2004	83	MINUTE ORDER of 9/14/04 by Hon. Nan R. Nolan: For the reasons stated in the attached Memorandum Opinion and Order, Defendant's motion in limine to exclude evidence relating to a noose allegedly found at a plaintiff's home [53-1] is granted; Defendant's motion in limine to exclude plaintiffs' opinion testimony and testimony lacking personal knowledge [54-1] is denied in part and reserved in part; Defendant's motion in limine to exclude evidence of alleged supervisor harassment [55-1] is denied; Defendant's motion in limine to exclude evidence related to Robert Autman, James Mack, Ronald Worley, and Terry Childress [56-1] is denied; and Defendant's motion in limine to exclude evidence related to persons' sexual orientation [57-1] is granted. Plaintiffs', motions in limine to bar from evidence defendant's proposed Exhibit 8, as well as any testimony about its subject matter; that Caterpillar's Annual Financial Statement for 2003 be deemed authenticated; to limit testimony of Dan Sweeney, Tony Cole and Craig Herrick [58-1, 59-1, 60-1] are granted. Entered Memorandum Opinion and Order. Notices mailed by judge's staff (rmm) (Entered: 09/14/2004)
09/15/2004		SCHEDULE set on 9/15/04 by Hon. Nan R. Nolan : Pretrial conference re-set to 2:15 9/17/04 Notice by phone. (hmb) (Entered: 09/15/2004)
09/17/2004		SCHEDULE set on 9/17/04 by Hon. Nan R. Nolan : Pretrial conference held. no notice (hmb) (Entered: 09/20/2004)
09/20/2004	84	MINUTE ORDER of 9/20/04 by Hon. Nan R. Nolan: Final pretrial conference held. Jury instruction conference set for 9/29/04 at 8:00 a.m. Plaintiff Rickey McNeal to respond to defendant's motion to dismiss claims raised for the first time in plaintiffs' trial brief by 09/22/04. Mailed notice (ntf) (Entered: 09/21/2004)
09/20/2004	87	MOTION by defendant to dismiss claims raised for the first time in plaintiffs' trial brief ; Notice. (gma) (Entered: 09/30/2004)
09/22/2004	85	RESPONSE by plaintiff McNeal to defendant's motion to dismiss claims raised for the first time in plaintiffs' trial brief; Notice (cdy) (Entered: 09/23/2004)
09/28/2004	86	MINUTE ORDER of 9/28/04 by Hon. Nan R. Nolan: (Entered Final Pretrial Order.) No notice (air) (Entered: 09/29/2004)
09/29/2004	88	MINUTE ORDER of 9/29/04 by Hon. Nan R. Nolan: Jury instruction conference held. Defendant's motion to dismiss claims raised for the first time in plaintiffs' trial brief [87-1] is entered and continued. No notice (gma) (Entered: 09/30/2004)
09/30/2004	89	STIPULATION by plaintiff, defendant of dismissal; Notice. (gma) (Entered: 10/01/2004)

10/01/2004	93	MINUTE ORDER of 10/1/04 by Hon. Nan R. Nolan : Defendant's motion to dismiss claims raised for the first time in plaintiffs' trial brief [87-1] is denied as moot given the stipulation of dismissal filed by plaintiff Rickey McNeal and Caterpillar. Mailed notice (rmm) (Entered: 10/05/2004)
10/04/2004	90	OPPOSITION by plaintiffs to defendant's proposal to submit to jury instructions from EEOC Legal Guidance (Attachments) (rmm) (Entered: 10/05/2004)
10/04/2004	91	POSITIONS on certain trial matters not yet resolved by plaintiffs (rmm) (Entered: 10/05/2004)
10/04/2004	92	MINUTE ORDER of 10/4/04 by Hon. Nan R. Nolan : Trial begins - Jury. No notice (rmm) (Entered: 10/05/2004)
10/05/2004		SCHEDULE set on 10/5/04 by Hon. Nan R. Nolan : Jury trial held and continued to 10:00 10/6/04 . No notice (hmb) (Entered: 10/05/2004)
10/06/2004		SCHEDULE set on 10/6/04 by Hon. Nan R. Nolan : Jury trial held and continued to 9:30 10/7/04 . No notice (hmb) (Entered: 10/07/2004)
10/07/2004		SCHEDULE set on 10/7/04 by Hon. Nan R. Nolan : Jury trial held and continued to 9:30 10/8/04 . No notice (hmb) (Entered: 10/08/2004)
10/08/2004		SCHEDULE set on 10/8/04 by Hon. Nan R. Nolan : Jury trial held and continued to 9:30 10/12/04 . No notice (hmb) (Entered: 10/08/2004)
10/12/2004	94	MINUTE ORDER of 10/12/04 by Hon. Nan R. Nolan: Jury trial held and concluded. Jury deliberations began. Jury returns verdict in favor of defendant Caterpillar, Inc. Judgment is entered in favor of Caterpillar, Inc. and against plaintiffs EEOC, Stanley McCallum, George Ervins and Rickey McNeal. Defendant Caterpillar's oral Rule 50 motions for judgment as a matter of law are denied as moot. Mailed notice (air) Modified on 10/14/2004 (Entered: 10/14/2004)
10/12/2004	95	ENTERED JUDGMENT. (air) (Entered: 10/14/2004)
10/12/2004	96	VERDICT for defendant against intervenor plaintiff Stanley McCallum. (air) (Entered: 10/14/2004)
10/12/2004	97	JURY INSTRUCTIONS submitted. (air) (Entered: 10/14/2004)
10/12/2004	98	JURY NOTES filed. (98-1 through 98-2) (air) Modified on 10/14/2004 (Entered: 10/14/2004)
10/12/2004	99	STIPULATED FACTS. (air) (Entered: 10/14/2004)
10/15/2004	100	MINUTE ORDER of 10/15/04 by Hon. Nan R. Nolan: Each party is responsible for maintaining any exhibits which were admitted at trial. Parties need to determine who will take possession of the joint exhibits. Original exhibits should be picked up from Judge Nolan's chambers, room 1870. Mailed notice (vmj) (Entered: 10/19/2004)
11/04/2004	101	BILL OF COSTS submitted by Caterpillar (Attachments); Notice. (gcy) Modified on 11/08/2004 (Entered: 11/08/2004)

11/05/2004	102	MINUTE ORDER of 11/5/04 by Hon. Nan R. Nolan : Any objection to defendant Caterpillar's Bill of Costs are due by 11/15/04. Caterpillar may reply by 11/22/04. Mailed notice (gcy) (Entered: 11/08/2004)
11/10/2004	103	NOTICE OF APPEAL by intervenors plaintiff Stanley McCallum, George A Ervins, and Ricky McNeal motion minute order [94-2], judgment entered [95-1], verdict [96-1] (Fee Paid) (dj) (Entered: 11/12/2004)
11/12/2004		TRANSMITTED to the 7th Circuit the short record on appeal [103-1] . Mailed notice to all counsel. (dj) (Entered: 11/12/2004)
11/17/2004	104	ACKNOWLEDGEMENT of receipt of short record on appeal [103-1] USCA 04-3920 (gcy) (Entered: 11/19/2004)
11/19/2004	105	MINUTE ORDER of 11/19/04 by Hon. Nan R. Nolan : No objections having been filed by the 11/15/04 deadline, the Clerk of the Court is directed to tax costs in the amount of \$4,093.99 against the plaintiff EEOC. Mailed notice (eav) (Entered: 11/22/2004)
12/01/2004		TRANSMITTED to the 7th Circuit the long record on appeal no. 04-3920 consisting of two volumes of pleadings, three loose documents re: appeal [103-1]. Mailed notice to all counsel. (cdh) (Entered: 12/01/2004)
02/07/2005	106	MANDATE of USCA dated 2/4/2005 regarding notice of appeal 103 ; USCA No. 04-3920. It is ordered that this cause is dismissed, pursuant to Federal Rule of Appellate Procedure 42(b) (rmm,) (Entered: 02/10/2005)
02/07/2005	107	LETTER from the USCA retaining the record on appeal in USCA no. 04-3920 (rmm,) (Entered: 02/10/2005)
02/09/2005	108	LETTER from the Seventh Circuit returning the record on appeal in USCA no. 04-3920 consisting of 2 volumes of pleadings and 3 volumes of loose pleadings. (rmm,) (Entered: 02/10/2005)
03/18/2005	109	TRANSCRIPT of proceedings for the following dates: 9/17/2004; Before the Honorable Nan R. Nolan (rmm,) (Entered: 03/23/2005)

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